

Attorney's Docket No.: 10559-389001
Client's Ref. No.: P10252

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Applicant : Richard P. Mackey et al.
Serial No. : 09/872,872
Filed : May 31, 2001

Art Unit : 2113
Examiner : Emerson C. Puente

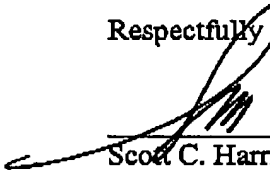
Title : POWER LOSS MEMORY BACK-UP

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet are a Request for Continued Examination and Preliminary Amendment, faxed this 24th day of January, 2005, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: January 24, 2005


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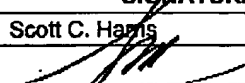
FISH & RICHARDSON P.C.

Substitute Form PTO/SB/30 (5-03)

Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/872,872
	Filing Date	May 31, 2001
	First Named Inventor	Richard P. Mackey et al.
	Group Art Unit	2113
	Examiner Name	Emerson C. Puente
	Attorney Docket Number	10559-389001

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)
 - a. ☐ Previously submitted. If a final Office action is outstanding, any amendment filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____
2. **Miscellaneous**
 - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
 - b. ☐ Other _____
3. **Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
 - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050
 - i. ☒ RCE fee required under 37 CFR 1.17(e)
 - ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☒ Other Any deficiencies
 - b. ☐ Check in the amount of \$ _____ enclosed
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
Name (Print/Type)	Scott C. Harris	Registration No. (Attorney/Agent)	32,030
Signature		Date	1/24/2005

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Name (Print/Type)	Veronica Whalen	Date	1/24/05
Signature	